

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
September 3, 2015

SUBJECT: Development of a single family home within a Water Resource Area (WRA) at 4600 Mapleton Drive.

FILE: PA-15-32

ATTENDEES: Applicants: Lindsey Wilde
Staff: Peter Spir (Planning), Khoi Le (Engineering)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 4600 Mapleton Drive
Site Area: 133,552 square feet
Neighborhood: Robinwood NA
Comp. Plan: Low density residential
Zoning: R-10 (Single family residential detached / 10,000 square foot minimum lot size)
Applicable code: Community Development Code (CDC) Chapter 32: WRA
CDC Chapter 11: R-10

Project Details: There is an extensive WRA associated with Heron Creek which bisects the property, generally on an east-west axis. A steep ravine slope extends north from the creek then transitions to a flat buildable area. The area in the ravine and to the south of the ravine is unbuildable.

The applicant proposes the development of a house on the north side of the ravine. This area is too narrow to allow a home to be constructed and meet the setbacks of the R-10 zone and the WRA chapter. The recourse is to utilize the "Hardship" provisions of CDC 32.110 which allow 5,000 square feet or 30% of the WRA for development (whichever is greater) in addition to developable non-WRA lands. Development includes all structures, all graded areas that are not restored to original grades and replanted with native material and all non-native landscaping, driveways, patios, etc. The future home design should be sensitive to the site and a reasonable distance (e.g. 15 feet) from the ravine's top of slope. A geotechnical study may be required by the Building Official to demonstrate that the development will not cause erosion or destabilize the ravine. One to one (on-site) mitigation for the WRA area used under the hardship

provisions is required. This can include the qualitative enhancement of a portion of the WRA (e.g. removal of invasive/non-native plants and replacing them with native plants).

Utilization of the hardship provisions prohibits further partition of the property.

There is a large shed at the east end of the flat area. It is well within the WRA boundary.

“Repair, maintenance, rehabilitation and replacement of non-conforming structures... that do not expand the disturbed area or footprint” is exempt per 32.040(C) (2). The applicant must inventory and map all trees on the upper/flat portion of the property by location, type, size and tag them in the field. Mike Perkins, the City Arborist, will then make a determination of significance for the on-site trees (mperkins@westlinnoregon.gov).

Engineering Division Comments

Contact Khoi Le at kle@westlinnoregon.gov or 503-722-5517 for engineering requirements. Contact Ty Darby from Tualatin Valley Fire and Rescue (TVF&R) at ty.darby@tvfr.com for their requirements.

Process

For the WRA permit address the submittal requirements and approval criteria of CDC Chapter 32. There is a deposit fee of \$2,600 and an inspection fee of \$250. The CDC is online at <http://westlinnoregon.gov/cdc>.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 and schedule a decision date by the Planning Manager. A decision is usually rendered within 5 weeks of the determination of completeness. Appeals of the Planning Manager’s decision are heard by City Council.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes***. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***